

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
ALBANY DIVISION

ZACHARY BOUVIER TAYLOR,	:	
	:	
Plaintiff	:	
	:	
VS.	:	CIVIL ACTION NO. 1:07-CV-221 (WLS)
	:	
UNKNOWN DEFENDANT,	:	
	:	
Defendant	:	PROCEEDINGS UNDER 42 U.S.C. § 1983
	:	<u>BEFORE THE U.S. MAGISTRATE JUDGE</u>
	:	
	:	

---

**RECOMMENDATION ON MOTION FOR A RESTRAINING ORDER**

Plaintiff **ZACHARAY BOUVIER TAYLOR** is an inmate at Autry State Prison with a pending 42 U.S.C. § 1983 action in this Court. Plaintiff filed a document that the Court has interpreted to be a Motion for a Temporary Injunction. This Motion reads in full as follows: “MOTION TO ACCORD INJUNCTIVE RELIEF FOR ‘PREACHER ZACH’ pursuant to the First Amendment to the United States of North America Constitution; Tinker v. Des Moines Iowa Independent School System; the Equal Rights of Access Act of 1980; inter alia.”

As with most of plaintiff’s filings, it is difficult to interpret exactly what plaintiff is attempting to say or determine exactly what relief he is requesting. To any extent that plaintiff is requesting injunctive relief, however, such relief will not issue unless the complained of conduct is imminent and no other relief or compensation is available. *Cunningham v. Adams*, 808 F.2d 815, 821 (11<sup>th</sup> Cir. 1987). A temporary restraining order or a preliminary injunction is a drastic remedy used primarily for maintaining the status quo of the parties. *Cate v. Oldham*, 707 F.2d 1176, 1185 (11<sup>th</sup> Cir. 1983).

After a review of plaintiff's motion and his other filings, it is the opinion of the undersigned that plaintiff has not met the prerequisites for the issuance of a temporary restraining order or preliminary injunction. *See Southern Monorail Co. v. Robbins & Myers*, 666 F.2d 185, 186 (11<sup>th</sup> Cir. 1982). Accordingly, it is **RECOMMENDED** that plaintiff's motion be **DENIED**.

Under 28 U.S.C. § 636(b)(1), plaintiff may serve and file written objections to this recommendation with the District Judge to whom this case is assigned within ten (10) days after being served with a copy of this order.

**SO RECOMMENDED**, this 4<sup>th</sup> day of February, 2008.

/s/ **Richard L. Hodge**  
RICHARD L. HODGE  
UNITED STATES MAGISTRATE JUDGE